

UNITED STATES SOUTHERN DIST. COURT - NEW YORK COUNTY

WESLEY GABRIEL ET ANO,

PLAINTIFF

- vs. -

BRIAN FISCHER ET AL,

DEFENDANT

Index No: 08 CV 2460

Date Filed: 03/11/2008

Office No:

Court Date:

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:  
STEVEN AVERY being duly sworn, deposes and says;

I am over the age of 18 years, not a party to this action, and reside in the State of New York.

That on 04/17/2008 at 10:40AM at STATE CAMPUS BLDG #2 % N.Y.S. Department of Correctional Services, ALBANY, NY , I served the SUMMONS AND COMPLAINT JURY TRIAL DEMAND upon ANTHONY J ANNUCCI the DEFENDANT therein by delivering and leaving a true copy or copies of the aforementioned documents with LEN MACINI, CO-WORKER OF THE DEFENDANT, a person of suitable age and discretion.

Deponent describes the person served as aforesaid to the best of deponent's ability at the time and circumstances of service as follows:

SEX: MALE

COLOR: WHITE

HAIR: BLACK

APP. AGE: 60

APP. HT: 5'9

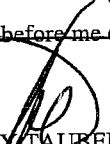
APP. WT: 175

OTHER IDENTIFYING FEATURES:

On 04/30/2008 I deposited in the United States mails a true copy or copies of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to said DEFENDANT at STATE CAMPUS BLDG #2 % N.Y.S. Department of Correctional Services, ALBANY, NY . That address being actual place of business of the DEFENDANT.

Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person to be served.

Sworn to before me on 04/30/2008.

  
HARVEY TAUBER  
Notary Public, State of New York  
No. 01TA4667012  
Qualified in BRONX  
Commission Expires 12/31/2010

  
STEVEN AVERY  
AAA ATTORNEY SERVICE CO. OF NY, INC.  
20 VESEY ST., ROOM 1110  
NEW YORK, NY 10007  
ML